

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>December 30, 2016</u>
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MICHAEL ADAMS,

Plaintiff,

16 Civ. 3401 (KPF)

v.

ORDER

LA PALOMA LLC and WEST 9TH, LLC,

Defendants. :  
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KATHERINE POLK FAILLA, District Judge:

The Court assumes familiarity with the history of this case, which was outlined in more detail on the record in a hearing held today, December 30, 2016, at 10:00 AM, and in this Court's Order to Show Cause issued on November 30, 2016. (Dkt. #21).

Today, December 30, 2016, at 10:00 AM, Plaintiff failed to show cause in person why this case should not be dismissed for failure to prosecute, despite the Court's order that he do so. (Dkt. #21). Plaintiff has further failed to prosecute this case in any manner since September of this year. Therefore, pursuant to its inherent powers and Federal Rule of Civil Procedure 41(b), the Court hereby dismisses this action. *See, e.g., Blanc v. Capital One Bank*, No. 13 Civ. 7209 (NSR), 2016 WL 3745853, at \*2 (S.D.N.Y. July 7, 2016) (quoting *Taub v. Hale*, 355 F.2d 201, 202 (2d Cir. 1966) (per curiam) ("Under that Rule and the inherent power of a court to dismiss for failure to prosecute, a district judge may, sua sponte, ... dismiss a complaint for want of prosecution."))

(citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962) (“The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an ‘inherent power.’”)). The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: December 30, 2016  
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

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KATHERINE POLK FAILLA  
United States District Judge